

## REMARKS

### **Status of the Claims**

Claims 36-39, 41-42, 45-47, 49-50 and 53-55 are presented. Claim 1 has been amended to specify that the fibers are washed and to further specify that the composition with which they are washed include water. These amendments are supported throughout the application as filed, including the claims as originally filed. No claims have been deleted and no new claims have been added.

### **The Outstanding Rejections**

The Examiner rejected previously pending claims 36-39, 41-42, 45-47, 49-50 and 53-55 as being obvious over Benisek et al., (US 4,448,817, “Benisek”). Although applicants to not necessarily concede that the Examiner was correct in any of the characterizations Benisek, and while reserving the right to prosecute claims of a scope that are the same as are similar to those previously presented, applicants have amended the claims in a manner that overcomes and renders moot the rejection on the basis of Benisek, as explained hereinafter.

### **The Claimed Subject Matter**

The subject matter as now claimed is directed to a process for treating textile fibers. Important to the subject matter as now claimed is the requirement that the treating step include the step “washing” the fibers within aqueous composition. As described extensively in the present specification, the washing step of the invention as now claimed that describes a relatively mild process. For example, the examples describe washing fibers under temperature conditions of about 40°C in the presence of liquid water. As explained in detail hereinafter, the prior art cited by the Examiner does not establish a proper basis for concluding that the subject matter of the present claims is obviousness. Accordingly, the Examiners rejection is hereby respectfully traversed.

**The Prior Art Does Not Teach or Suggest the Claimed Invention**

As mentioned above, the Examiner has relied on Benisek in rejecting the subject matter of the claims as previously pending. Benisek relates to textile finishing of keratinous articles. The method includes treating the articles with an anti-felt polymer, including polymers similar to those described in accordance with the present methods. Importantly, however, Benisek teaches that such polymers are “curable” (see, for example, col. 1, lines 56 – 58) and that the treatment of the fibers requires curing Other fibers at relatively high temperatures, for example, 140 - 150°C. (see all of the Examples of Benisek).

Benisek thus discloses a method for treating textiles which is dramatically different than the process of applicants’ invention. The extreme conditions used to treat the fibers of Benisek are essential to the curing operation, which is in turn essential to making purpose of the teaching of Benisek, that is, reducing this shrinkage of the fibers. In contrast, Applicants teach a washing step, which inherently involves conditions which are sufficiently mild to prevent evaporation of the water. Under the conditions specified in Benisek, any water in the composition would be substantially vaporized, hence substantially preventing effective washing of the fibers by the composition. A utilization of the relatively mild conditions required in accordance with the present claims, reduced piling of the is possible. There is no reasonable expectation that any such beneficial results could or would be achieved in accordance with the process as taught by Benisek.

**Conclusion**

Applicants believe that the present application, in view of the above amendments and remarks, is now in condition for allowance, and an early notice thereof is hereby earnestly solicited.

If the Examiner has any questions or comments regarding this communication, the Examiner is hereby respectfully invited to contact the undersigned by telephone at the number indicated below.

If any additional fees are required to further the prosecution of this application, the Office is authorized to charge such fees to Deposit Account No. 19-5425.

Respectfully submitted,

Date: September 29, 2008

/Joseph F. Posillico/

Joseph F. Posillico

Reg. No. 32,290

Fox Rothschild LLP  
1101 Market Street  
Suite 2600  
Philadelphia, PA 19107  
Telephone: (215) 923-4466  
Facsimile: (215) 923-2189